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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/629,703

07/30/2003

Traugott Marquardt

1509-429

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EXAMINER

NGUYEN, CHI Q

ART UNIT

PAPER NUMBER

3635

MAIL DATE

DELIVERY MODE

07/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/629,703

Applicant(s)

MARQUARDT, TRAUGOTT

Examiner

Chi Q Nguyen

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4 and 6-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-14,26,27 and 34 is/are rejected.
- 7) ☒ Claim(s) 1,2,4,6-8,15-25,28-33 and 35-41 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

This Office action is in response to the applicant's amendment filed on 4/18/2007.

Election/Restrictions

Applicant's election to group I and species II is acknowledged.

Status of Claims

Claims 3 and 5 have been cancelled. And claims 1, 2, 4, and 6-41 have been examined.

Response to Arguments

Applicant's arguments with respect to claims 9, 6, 10-14, 26-27, and 34 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9, 6, 10, and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US 875,279 to McCoy.

Claims 9, 14:

McCoy discloses a cable junction unit comprising opposite faces 1, 1a, on different horizontally spaced members 13, 15, and comprising slide-in data connector units 8 at least one of its faces, the slide-in connector units being on at least two levels in the junction unit, one above the other and being spaced vertically from each other to

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provide passage of cooling air in the duct through the junction unit between the opposite faces (see Fig. 2).

Claim 6:

Wherein the unit has opposite faces 1 on different horizontally spaced members 13/15 and comprising rows of connectors 8 arranged on at least two levels, one above the other, both of the faces including open slits (no labeled but spaces between the two connectors 8). Note that the claimed combination with raised floor system and cooling air supply duct are not positively claimed with the subcombination junction unit. Thus the language is present only as intended use and a recitation of the intended use of the claimed invention must result in a structural different between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

Claims 10 and 13:

Wherein the slide-in connector units are fixed to the junction unit in a dismountable manner and arrange at two opposing faces of the junction unit.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 875,279 to McCoy.

McCoy teaches the basic structural elements for the cable management as stated except for the slide-in connector units including at least some of the connector rows being at least one of copper data cable connector rows or optical fiber connector. At the time of the invention, it would have been obvious to a person in the art having ordinary skill to select an appropriate material for the connectors, such as copper or optical material because these materials are highly conductive materials providing quick and clear signals for communication purposes.

Claims 26, 27, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 875,279 to McCoy in view of US Patent No. 5,548,932 to Mead.

McCoy discloses the basic structures for the cable junction unit as stated above but does not disclose a computer center having a raised floor on which computers are arranged. Mead discloses an adjustable cable tray support system comprising a raised floor 10, wherein a computer room is equipped onto as shown in Fig. 1. At the time of the invention was made, it would have been obvious to one having ordinary skill in the art to utilized McCoy's cable junction unit with Mead for a raised floor and a computer room for cable data arrangement and management. It would have been obvious because Mead teaches at the time of the invention that the cable management was known to utilize for raised floor.

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Allowable Subject Matter

Claims 1, 2, 4, 33, 7-8, 15-19, 35, 20-25, 28-32, and 36-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.


CQN

7/5/2007

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/JEANETTE CHAPMAN/
PRIMARY EXAMINER
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